

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARKISHA PATRICE WHITE,

Plaintiff,

v.

ORANGE URGENT CARE, PLLC; PATRICIA
SIRCABLE; *and* MARELIN CORDERO,

Defendants.

No. 24-CV-6827 (KMK)

ORDER OF SERVICE

KENNETH M. KARAS, United States District Judge:

Plaintiff, proceeding pro se, brings this Action under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e to 2000e-17 and the New York State Human Rights Law, N.Y. Exec. Law §§ 290–97, alleging that Defendants Orange Urgent Care, PLLC, Patricia Sircable, and Marelin Ordero discriminated against her based on her race. On September 23, 2024, the Court granted Plaintiff’s request to proceed in forma pauperis (“IFP”), that is, without prepayment of fees.

Because Plaintiff has been granted permission to proceed IFP, she is entitled to rely on the Court and the U.S. Marshals Service (“USMS”) to effect service.¹ *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) (“The officers of the court shall issue and serve all process . . . in [IFP] cases.”); Fed. R. Civ. P. 4(c)(3) (“The court must . . . order” the USMS to effect service “if the plaintiff is authorized to proceed IFP”).

¹Although Federal Rule of Civil Procedure 4(m) generally requires that a summons be served within 90 days of filing of the Complaint, Plaintiff is proceeding IFP and could not have effected service until the Court reviewed the Complaint and ordered that any summonses be issued. The Court therefore extends the time to serve until 90 days after the date any summonses issue.

To allow Plaintiff to effect service on Defendants through the USMS, the Clerk of Court is respectfully directed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for each of the Defendants. The Clerk of Court is further respectfully directed to issue summonses and deliver to the USMS all the paperwork necessary for the Marshals Service to effect service upon Defendants.

If the Complaint is not served within 90 days after the date summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff’s responsibility to request an extension of time for service).

Plaintiff must notify the Court in writing if her address changes, and the Court may dismiss the Action if Plaintiff fails to do so.

The Clerk of Court is respectfully directed to mail an information package to Plaintiff.

The Court directs service on Defendants Orange Urgent Care, PLLC, Patricia Sircable, and Marelin Cordero. The Court also respectfully directs the Clerk of Court to: (1) issue summonses for each of the Defendants; (2) complete USM-285 forms with the service addresses for those Defendants; and (3) deliver all documents necessary to effect service of summonses and the Complaint on those Defendants to the USMS.

SO ORDERED.

Dated: December 5, 2024
White Plains, New York

A handwritten signature in black ink, appearing to read 'K. Karas', written over a horizontal line.

KENNETH M. KARAS
United States District Judge

SERVICE ADDRESS FOR EACH DEFENDANT

1. Orange Urgent Care, PLLC
75 Crystal Run Rd.
Middletown, NY 10941
2. Patricia Sircable
Orange Urgent Care, PLLC
75 Crystal Run Rd.
Middletown, NY 10941
3. Marelin Cordero
41 Dogwood Drive
Middletown, NY 10940